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LMBA  
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Seattle, WA 98111

[www.LMBA.net](http://www.LMBA.net)

March 31, 2017

The Honorable Susan L. Carlson  
Clerk of the Washington State Supreme Court  
Washington State Supreme Court Temple of Justice  
P.O. Box 40939  
Olympia, WA 98504

Sent via electronic mail to [supreme@courts.wa.gov](mailto:supreme@courts.wa.gov)

To: Honorable Justices of the Washington Supreme Court

Re: Proposed New General Rule 36 – Jury Selection

On behalf of the Loren Miller Bar Association (LMBA), I hereby comment in support of the Proposed New General Rule 36 submitted by the American Civil Liberties Union of Washington.

Formed in Seattle in 1968, LMBA is a statewide civil rights organization of lawyers, named after famed civil rights attorney Loren Miller who successfully argued *Shelley v. Kraemer*, 334 U.S. 1 (1948). LMBA is Washington's affiliate chapter of the National Bar Association - the oldest minority bar association and largest organization of African American attorneys in the United States, founded in 1925 because the American Bar Association was racially segregated.

For 50 years, LMBA has thrived in its efforts to advance the social and economic well-being of people of color, while improving relations between the legal profession and the African American community. LMBA's history celebrates the birth, growth, maturation, and success of the Washington African American legal community and its commitment to access to justice. To this end, we support jury diversity and addressing the intricacies of racial bias, both implicit and explicit.

As stated in Comment [1] of Proposed New General Rule 36, its purpose "is to eliminate the unfair exclusion of potential jurors based on race." This purpose is consistent with the mission and values of LMBA. As this Court recognized in *State v. Saintcalle*, "Batson recognizes only 'purposeful discrimination,' whereas racism is often unintentional, institutional, or unconscious." 178 Wn.2d 34, 36 (2013). Thus a solution is necessary in order to address the issue.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Chalia Stallings-Ala'ilima  
*President*  
Loren Miller Bar Association  
206.992.3247  
[president@lmba.net](mailto:president@lmba.net)

## Tracy, Mary

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**From:** OFFICE RECEPTIONIST, CLERK  
**Sent:** Friday, March 31, 2017 4:17 PM  
**To:** Tracy, Mary  
**Subject:** FW: LMBA Comment on Proposed New General Rule 36  
**Attachments:** Comment GR 36.pdf

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**From:** presidentlmba@gmail.com [mailto:presidentlmba@gmail.com] **On Behalf Of** LMBA President  
**Sent:** Friday, March 31, 2017 4:16 PM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** LMBA Comment on Proposed New General Rule 36

Hello,

Attached, please find a Comment on behalf of the Loren Miller Bar Association in support of the ACLU-WA's proposed new GR 36.

Thank you,



Chalia Stallings-Ala'ilima | *President*

LOREN MILLER BAR ASSOCIATION

PO Box 1873 | Seattle, WA 98111

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